

REMARKS

This communication is responsive to the Office Action dated March 23, 2010, and received in this application. New claims 12-13 have been added. *These amendments add no new matter.* Support for these amendments may be found variously throughout the Disclosure, including, but not limited to FIG. 3(b) and paragraphs [0017] and [0048].

Claims 6-11 remain pending in the application. Claims 6-11 are rejected as noted below. In light of the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

Claims 6-11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2001/0031658 to Ozaki et al. ("Ozaki") in view of U.S. Pat. Publication No. 2003/0016313 to Jeong ("Jeong"). This rejection is traversed.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); *see also* MPEP 2143.03. The applied references fail to meet this requirement.

Claim 6 recites: *[a] gaming machine comprising:*

a variable display device for variably displaying a symbol combination associated with an award;

a reel display window unit disposed in front of the variable display device;

an electrical display panel disposed between the reel display window unit and the variable display device; and

a holder disposed between the electrical display panel and the variable display device, the holder having a thickness enough to hold the electrical display panel from a rear side thereof, the holder for holding the electrical display panel from the rear side thereof, wherein:

the holder includes a rectangular opening smaller than the reel display window unit; the reel display window unit displays the symbol combination through the opening of the holder and the electrical display panel, the symbol combination displayed on the variable display device; and

a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral corner portion serving as an outer periphery of the opening of the holder, is removed so as not be viewed in a case where the symbol combination on the variable display device is viewed through the opening of the holder.

Ozaki and Jeong, either alone or in any permissible combination, fail to disclose or suggest these features. Specifically, Ozaki and Jeong, either alone or in any permissible combination, fail to disclose or suggest “a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral corner portion serving as an outer periphery of the opening of the holder, is removed so as not be viewed in a case where the symbol combination on the variable display device is viewed through the opening of the holder.”

Ozaki discloses a game machine having “a back side display unit composed of reels for displaying back patterns, and a front side display unit composed of transparent EL panels for displaying overlapping patterns overlapping with the back patterns.” (Ozaki, Abstract).

But as the Office Action admits, “Ozaki is silent on the issue of the peripheral corner portion of the rear holder being removed.” (Office Action p. 3, ll. 11-12). Particularly, Ozaki fails to disclose or suggest “a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral corner portion serving as an outer periphery of the opening of the holder, is removed so as not be viewed in a case where the symbol combination on the variable display device is viewed through the opening of the holder.”

The Office Action relies on Jeong (Office Action, p. 3, ll. 12-20), but Jeong fails to remedy the deficiencies of Ozaki.

Jeong discloses:

a liquid crystal display (LCD) device in which a movement of a light guide plate received in a mold frame can be minimized. A light guide plate has catching jaws

and projections. The catching jaws are formed by cutting at least one corner of an end portion of the light guide plate receiving the light from the lamp unit. The projections extend outwardly from sidewalls of the catching jaws, which respectively have a thinner thickness than the catching jaws.

(Jeong, Abstract).

Thus, according to Jeong, “even if an exterior impact is applied to the LCD device, the catching bosses of the mold frame are respectively and rigidly engaged with the catching jaws to prevent the light guide plate from moving towards the lamp.” (Jeong, Abstract).

As an embodiment shown in Jeong - FIG. 7, reproduced below-left, Jeong discloses:

The first end portion of the light guide plate 224, i.e., both edge portions of the first end portion that is received in a receiving space of the mold frame 400 towards a position at which the lamp 221 is installed, is cut off to form a third catching jaw 224a₁ and a fourth catching jaw 224b₁. A first projection 224a₁' and a second projection 224b₁' extend outwardly from sidewalls of the third and fourth catching jaws 224a₁ and 224b₁, which respectively have a thinner thickness than the third and fourth catching jaws 224a₁ and 224b₁.

(Jeong, para. [0076]).

Catching jaws 224a₁ and 224b₁ then engage with catching bosses 402a and 404a, respectively, which prevents movement in the horizontal direction of the light guide plate 224 once

accommodated in the mold frame 400. (Jeong, para. [0078]).

FIG. 7

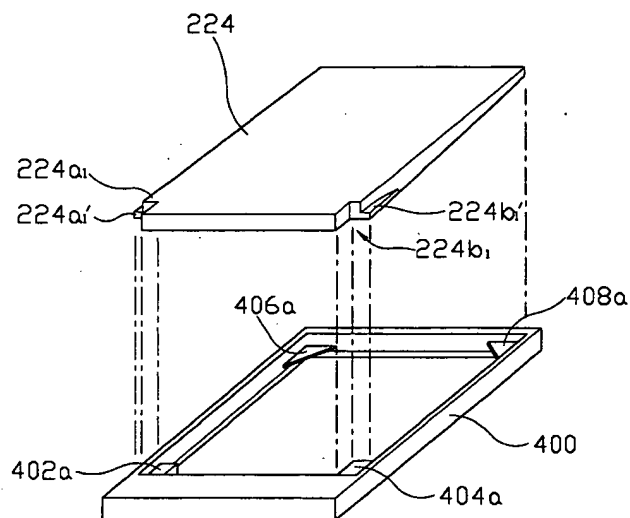
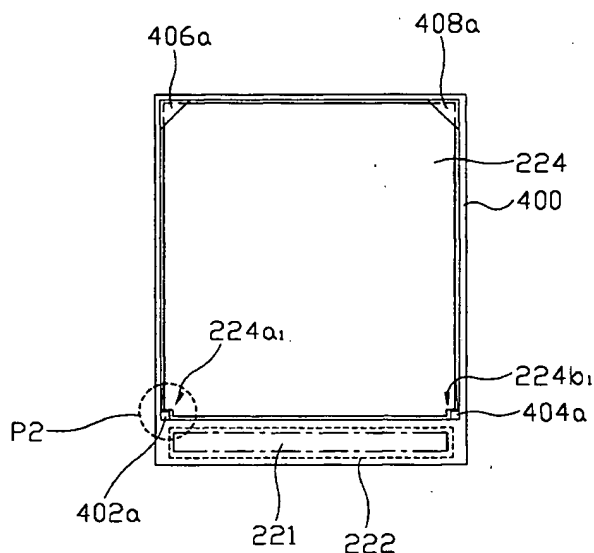


FIG. 10



As shown in Jeong - FIG. 10, which shows “the light guide plate according to the first embodiment of the [Jeong] invention shown in FIG. 7, in which the light guide plate is received in the mold frame.” (Jeong, para. [0048]).

Thus, Jeong discloses a removal of corner portions of the first end portion of the light guide plate 224, as seen from the top or bottom view, to create catching jaws 224a₁ and 224b₁.

In comparison to the removal of the corner portions of the first end portion of the light guide plate 224, as seen from the top or bottom view, to create catching jaws 224a₁ and 224b₁, FIG. 3(b) of the present invention, reproduced below, shows “a vertical cross-sectional view of the slot machine 1 at the reel display window unit 39.”

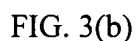


Fig.3

shows rear

in the slot machine 1 in accordance with this embodiment, the peripheral corner portions in the rear face side of the openings 5c, 6c and 7c formed in the rear holder 39h are removed therefrom. Accordingly, when a player observes the reels 2-4 behind the liquid crystal panel 39d through the transparent acryl plate 39a, as demonstrated with an arrow in Fig. 3(b), the peripheral corner portions are prevented from being viewed by the player.

(Specification, para. [0048]).

Although “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art,” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), Applicant submits the Office Action has failed to consider the phrases “*in a rear side in a thickness direction*” and “*the peripheral comer portion serving as an outer periphery of the opening of the holder.*”

Because these phrases have not been considered, Applicant submits that the Office Action mistakes removal of the corner portions of the first end portion of the light guide plate 224, as seen from the top or bottom view, with removal of “*a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral comer portion serving as an outer periphery of the opening of the holder.*”

Thus, while Jeong discloses removal of the corner portions of the first end portion of the light guide plate 224, as seen from the top or bottom view, to create catching jaws 224a₁ and 224b₁, Jeong fails to disclose or suggest “*a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral comer portion serving as an outer periphery of the opening of the holder, is removed so as not be viewed in a case where the symbol combination on the variable display device is viewed through the opening of the holder.*”

Because Ozaki and Jeong, either alone or in any permissible combination, fail to disclose all features recited by claim 6, a *prima facie* case of obviousness cannot be maintained for claim 6.

Should the Examiner maintain the rejection, Applicant respectfully requests additional clarification as to how and specifically what feature of Jeong the Examiner believes to be analogous to the removal of “*a peripheral corner portion in a rear side in a thickness direction of the opening.*”

Additionally, should the Examiner maintain the rejection, Applicant respectfully requests additional clarification as to how a removal of a corner portion of the light guide plate 224, as seen from the top or bottom view, is analogous to the recited removal of “*a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral comer portion serving as an outer periphery of the opening of the holder.*”

For reasons similar to those given above, because Ozaki and Jeong, either alone or in any permissible combination, fail to disclose all features recited by claim 8, a *prima facie* case of obviousness cannot be maintained for claim 8.

If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Consequently, claims 7 and 9-11, which depend from claims 6 and 8, respectively, are patentable for their incorporation of the distinct features recited in claims 6 and 8, respectively, as well as their separately recited, patentably distinct features.

Additionally, Applicant notes that dependent claim 10 has not been properly rejected. Concerning the rejection of claims, 37 C.F.R. § 1.104(c)(2) instructs:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

Moreover, in making a final rejection, M.P.E.P. § 706.07 further instructs:

In making the final rejection, all outstanding grounds of rejection of record should be carefully reviewed They must also be clearly developed to such an extent that applicant may readily judge the advisability of an appeal.

In the rejection of claim 10, the Office Action cites Ozaki and Jeong. (Office Action, p. 2, ll. 14-15). But while Ozaki and Jeong show inventions other than that claimed by Applicant in claim 10, the Office Action fails to identify the pertinent parts of Ozaki and Jeong which are relied on. Further, the Office Action fails to clearly explain the pertinence of each reference to claim 10.

Moreover, because the final rejection of claim 10 is only a conclusory statement, it fails to "clearly develop" the grounds of rejection "to such an extent that Applicant may readily judge the advisability of an appeal."

Thus, the final rejection of claim 10 is deficient.

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Reply to Office Action of March 23, 2010

Docket No.: SHO-0042
(80512-0042)

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6-11 under 35 U.S.C. § 103(a).

New Claims 12-13

New claims 12-13 have been added. Claims 12 and 13 depend from independent claims 6 and 8, respectively.

Claims 12 and 13 are patentable for their incorporation of the distinct features recited in claims 6 and 8, respectively, as well as their separately recited, patentably distinct features.

Accordingly, it is believed that new claims 12-13 are in condition for allowance.

CONCLUSION

In view of the foregoing arguments, all claims are believed to be in condition for allowance. If any further issues remain, the Examiner is invited to telephone the undersigned to resolve them.

This response is believed to be a complete response to the Office Action. However, Applicant reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 C.F.R. § 1.104(d)(2) and MPEP § 2144.03.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SHO-0042 from which the undersigned is authorized to draw.

Dated: May 18, 2010

Respectfully submitted,

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